HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

WRIT PETITION NO. 1266 OF 2002

Petitioner : Wazid Ali S/o Abdul Razjaque, aged about 55 years, R/o 15 Block Colony, SECL Korba, Tahsil & Distt.-Korba (C.G.).

Versus

Respondents : 1. South Eastern Coalfields Limited, through its Chairman-cum-Managing Director, SECL HQs, Seepat Road, Bilaspur, Chhattisgarh.

2. Dy. General Manager, Manikpur Colliery of Korba Area, South Eastern Coalfields Limited, Tahsil & Distt.-Korba, Chhattisgarh.

Present: Smt. Meera Jaiswal, Advocate for the petitioner.
Shri P.S. Koshy, counsel for the Respondents.

ORAL ORDER

(6th February, 2006)

1. Learned counsel for the petitioner submits that the petitioner was working in Manikpur Colliery of the Korba Area of the South Eastern Coalfieds Limited.

2. According to the petitioner, the date of birth of the petitioner recorded in the service book was 2.1.1947. Further, the petitioner has been retired on 30.6.2002 treating his date of birth as 1.7.1942.

3. As per the National Coal Wages Agreement, the dispute with regard to the date of birth of the employee is to be referred to the Age Determination Committee and the decision of the Age Determination Committee is binding on all the parties. It appears that the dispute has not been referred to the Age Determination Committee.

4. In view of the foregoing, it is desirable that the Age Determination Committee as per the National Coal Wages Agreement should examine the dispute raised by the petitioner with regard to his date of birth. It is accordingly directed that the matter be referred to the Age Determination Committee for a decision within a period of four weeks from the date of receipt/production of a copy of this order.

5. In the meantime, the petitioner be not disturbed from the residential quarter allotted to him, till the decision of the Age Determination Committee.

6. In view of the foregoing, the writ petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu